

DFTTERM

**U.S. District Court  
Northern District of Texas (Dallas)  
CRIMINAL DOCKET FOR CASE #: 3:18-mj-00784-BT-1**

Case title: USA v. Akhter

Date Filed: 11/27/2018

Other court case number: 1:15-CR-124-TSE-1 U.S. Dist.  
Court E. Dist. of Virginia

Date Terminated: 11/30/2018

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Assigned to: Magistrate Judge  
Rebecca Rutherford

**Defendant (1)**

**Muneeb Akhter**

*TERMINATED: 11/30/2018*

represented by **Federal Public Defender**

Federal Public Defender – Dallas

525 Griffin St

Suite 629

Dallas, TX 75202

214-767-2746

Fax: 214-767-2886

Email: [jason\\_hawkins@fd.org](mailto:jason_hawkins@fd.org)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Federal Public Defender Appointment*

*Bar Status: Admitted/In Good Standing*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

Out of district arrest out of the  
Eastern District of Virginia.  
Charging defendant with violation  
of terms of supervised release.

**Disposition**

**Plaintiff**

USA

represented by **Paul Yanowitch–DOJ**

US Attorney's Office

1100 Commerce St

3rd Floor

Dallas, TX 75242

214–659–8618

Fax: 214–767–2846

Email: [paul.yanowitch@usdoj.gov](mailto:paul.yanowitch@usdoj.gov)*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Retained**Bar Status: Not Admitted*

Date Filed	#	Page	Docket Text
11/27/2018	<u>1</u>	4	MOTION for Detention <i>Pending Supervised Revocation Hearing</i> filed by USA as to Muneeb Akhter Attorney Paul Yanowitch–DOJ added to party USA(pty:pla) (Yanowitch–DOJ, Paul) (Entered: 11/27/2018)
11/27/2018		8	Arrest (Rule 32) of Muneeb Akhter. Case Number 1:15–CR–124–TSE from U.S. District Court for Eastern District of Virginia, Alexandria Division. (mcrd) (Entered: 11/28/2018)
11/27/2018	<u>2</u>	9	Minute Entry for proceedings held before Magistrate Judge Rebecca Rutherford: Initial Appearance as to Muneeb Akhter held on 11/27/2018. Date of Arrest: 11/27/2018 Location interval set to: LC. Attorney Appearances: AUSA – Paul Yanowitch; Defense – Courtney Stamper. (Court Reporter: Digital File) (No exhibits) Time in Court – :03. (mcrd) (Entered: 11/28/2018)
11/27/2018	<u>3</u>		(Document Restricted) CJA 23 Financial Affidavit by Muneeb Akhter (mcrd) (Main Document 3 replaced on 11/28/2018) (mcrd). (Entered: 11/28/2018)
11/27/2018	<u>4</u>	10	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Muneeb Akhter. Federal Public Defender for Muneeb Akhter appointed. (Ordered by Magistrate Judge Rebecca Rutherford on 11/27/2018) (mcrd) (Entered: 11/28/2018)
11/27/2018	<u>5</u>	11	ORDER OF TEMPORARY DETENTION as to Muneeb Akhter. Detention Hearing set for 11/30/2018 01:00 PM in US Courthouse, Courtroom 1310, 1100 Commerce St., Dallas, TX 75242–1310 before Magistrate Judge Rebecca Rutherford. (Ordered by Magistrate Judge Rebecca Rutherford on 11/27/2018) (mcrd) (Entered: 11/28/2018)
11/30/2018	<u>6</u>	12	Minute Entry for proceedings held before Magistrate Judge Rebecca Rutherford: Detention Hearing as to Muneeb Akhter held on 11/30/2018. Location interval set to: LO. Preliminary Hearing as to Muneeb Akhter held on 11/30/2018 Location interval set to: LO. The court finds probable cause and defendant ordered detained. Ordered removed to prosecuting district. Attorney Appearances: AUSA – Paul Yanowitch; Defense – Courtney Stamper. (Court Reporter: Digital File) (No exhibits) Time in Court – 1:00. (mcrd) (Entered: 12/03/2018)
11/30/2018	<u>7</u>	13	

			ORDER OF DETENTION as to Muneeb Akhter. (see order) (Ordered by Magistrate Judge Rebecca Rutherford on 11/30/2018) (mcrd) (Entered: 12/03/2018)
11/30/2018	<u>8</u>	15	Report of Proceedings under Rule 32.1 and Order Entered Thereon as to Muneeb Akhter. Defendant is removed forthwith to the district in which he is charged. Paperwork sent to U.S. District Court for Eastern District of Virginia, Alexandria Division. (Ordered by Magistrate Judge Rebecca Rutherford on 11/30/2018) (mcrd) (Entered: 12/03/2018)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

MUNEEB AKHTER (01)

NO. 3:18-MJ-784-BT

ECF

**MOTION FOR DETENTION PENDING  
SUPERVISED RELEASE REVOCATION HEARING**

The United States moves to detain the defendant, **Muneeb Akhter**, pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a).

1. Eligibility of Case. This case is eligible for a detention order because the case involves (check all that apply):

☐ Crime of violence (18 U.S.C. § 3156);

☐ Maximum sentence life imprisonment or death

☐ 10 + year drug offense

☐ Felony, with two prior convictions in above categories

☐ Serious risk defendant will flee

☒ Serious risk obstruction of justice

☐ Felony involving a minor victim

☐ Felony involving a firearm, destructive device, or any other  
dangerous weapon

☐ Felony involving a failure to register (18 U.S.C. § 2250)

☒ Petition for Supervised Release Revocation was filed

Motion for Detention Pending Rvctn Hrg (MuneebA) – p. 1

2. Reason for Detention. The Court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

\_\_\_\_\_ Defendant's appearance as required

  X   Safety of any other person and the community

3. Rebuttable Presumption. The United States **will**/will not invoke the rebuttable presumption against defendant because (check one or both):

\_\_\_\_\_ Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

\_\_\_\_\_ Probable cause to believe defendant committed a federal crime of terrorism, 18 U.S.C. § 2332b(g)(5)

\_\_\_\_\_ Probable cause to believe defendant committed an offense involving a minor, 18 U.S.C. §§ 1201, 2251

\_\_\_\_\_ Previous conviction for "eligible" offense committed while on pretrial bond

  X   Probable cause to believe Defendant violated terms of supervised release, FRCP 32.1(a)(6).

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing,

\_\_\_\_\_ At first appearance

  X   After continuance of   3   days (not more than 3).

DATED this  27th  day of November 2018.

Respectfully submitted,

ERIN NEALY COX  
UNITED STATES ATTORNEY

  /s/   Paul Yanowitch  
PAUL YANOWITCH  
Assistant United States Attorney  
Illinois State Bar No. 6188269  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Telephone: 214-659-8600  
Facsimile: 214-659-8812  
Email [Paul.Yanowitch@usdoj.gov](mailto:Paul.Yanowitch@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 27, 2018, I electronically filed the foregoing Government's Motion for Detention Pending Supervised Release Revocation Hearing with the Clerk of Court for the United States District Court for the Northern District of Texas using the electronic filing system of the Court. The electronic case filing system will send a notice of filing to all the attorneys of record who have or consented or will consent to such service.

/s/ Paul Yanowitch  
PAUL YANOWITCH  
Assistant United States Attorney

MIME-Version:1.0  
From:ecf\_txnd@txnd.uscourts.gov  
To:Courtmail@localhost.localdomain  
Bcc:  
--Case Participants: Paul Yanowitch-DOJ (caseview.ecf@usdoj.gov,  
cynthia.nichols@usdoj.gov, karen.vorel@usdoj.gov, michael.rogers@usdoj.gov,  
paul.yanowitch@usdoj.gov, paula.zepeda@usdoj.gov), Magistrate Judge Rebecca Rutherford  
(bridget\_o'hickey@txnd.uscourts.gov, judge\_rutherford\_ecfdocs@txnd.uscourts.gov,  
lavenia\_price@txnd.uscourts.gov, lori\_douglas@txnd.uscourts.gov,  
mark\_ratway@txnd.uscourts.gov)  
--Non Case Participants: Probation Office (txnp\_edocs-pro@txnp.uscourts.gov), U.S.  
Marshals Office (usms-txn-courtndocket@usdoj.gov)  
--No Notice Sent:

Message-Id:11162436@txnd.uscourts.gov  
Subject:Activity in Case 3:18-mj-00784-BT USA v. Akhter Arrest - Rule 5/32/40  
Content-Type: text/html

**If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: Judges' Copy Requirements. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at [www.txnd.uscourts.gov](http://www.txnd.uscourts.gov). If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.**

**U.S. District Court**

**Northern District of Texas**

### **Notice of Electronic Filing**

The following transaction was entered on 11/28/2018 at 1:26 PM CST and filed on 11/27/2018

**Case Name:** USA v. Akhter

**Case Number:** 3:18-mj-00784-BT

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**Arrest (Rule 32) of Muneeb Akhter. Case Number 1:15-CR-124-TSE from U.S. District Court for Eastern District of Virginia, Alexandria Division. (mcrd)**

**3:18-mj-00784-BT-1 Notice has been electronically mailed to:**

Paul Yanowitch-DOJ paul.yanowitch@usdoj.gov, CaseView.ECF@usdoj.gov,  
Michael.Rogers@usdoj.gov, cynthia.nichols@usdoj.gov, karen.vorel@usdoj.gov, paula.zepeda@usdoj.gov

**3:18-mj-00784-BT-1 The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will only serve notice of court Orders and Judgments by mail as required by the federal rules.**



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

JUDGE: REBECCA RUTHERFORD	
DEPUTY CLERK: L. Price	COURT REPORTER/TAPE NO: FTR
LAW CLERK:	USPO/PTSO:
INTERPRETER:	COURT TIME: 1:37-1:40
A.M.	P.M.
DATE: November 27, 2018	

☐ MAG. NO. ☐ DIST. CR. NO. 3:18-mj-00784-BT

USDJ Magistrate Judge Rebecca Rutherford

UNITED STATES OF AMERICA

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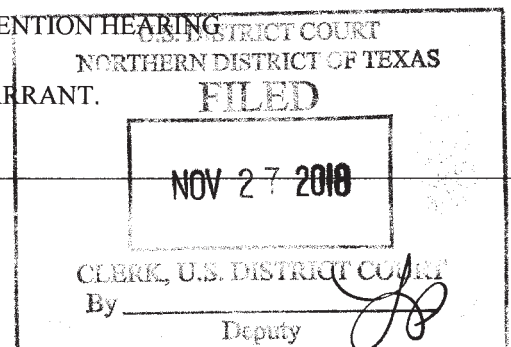
Paul Yanowitch, AUSA

v.

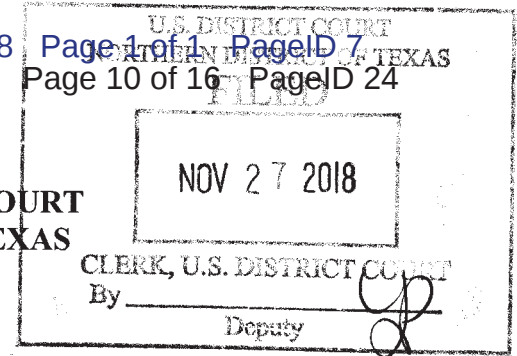
MUNEEB AKHTER (1)

Courtesy Stamp  
COUNSEL FOR DEFENDANTS APPT - (A), Retd - (R), FPD - (F)

- ☒ INITIAL APPEARANCE ☐ IDENTITY ☐ BOND HEARING ☐ PRELIMINARY HEARING  
☐ DETENTION HEARING ☐ COUNSEL DETERMINATION HEARING ☐ REMOVAL HEARING ☐ EXTRADITION HEARING  
☐ HEARING CONTINUED ON \_\_\_\_\_ CASE NO. \_\_\_\_\_ ☐ OTHER DISTRICT ☐ DIVISION  
☐ DATE OF FEDERAL ARREST/CUSTODY: ☒ SURRENDER 11/30/18  
☐ RULE 5/32 ☐ APPEARED ON WRIT  
☒ DEFT FIRST APPEARANCE. DEFT ADVISED OF RIGHTS/CHARGES ☐ PROBATION/SUPERVISED RELEASE VIOLATOR  
☐ DEFT FIRST APPEARANCE WITH COUNSEL.  
☐ DEFT ☐ MW (MATERIAL WITNESS) \_\_\_\_\_ APPEARED ☐ WITH ☐ WITHOUT COUNSEL  
☒ REQUESTS APPOINTED COUNSEL.  
☒ FINANCIAL AFFIDAVIT EXECUTED.  
☒ ORDER APPOINTING FEDERAL PUBLIC DEFENDER.  
☐ PRIVATE COUNSEL APPOINTED \_\_\_\_\_  
☐ DEFT HAS RETAINED COUNSEL \_\_\_\_\_  
☐ ARRAIGNMENT SET ☒ DETENTION HEARING SET 11/30/18 @ 1P  
☒ PRELIMINARY HEARING SET 11/30/18 @ 1P ☐ BOND HEARING SET \_\_\_\_\_  
☐ COUNSEL DETERMINATION HEARING SET \_\_\_\_\_  
☐ IDENTITY/REMOVAL HEARING SET \_\_\_\_\_  
☐ BOND ☐ SET ☐ REDUCED TO \$ \_\_\_\_\_ ☐ CASH ☐ SURETY ☐ 10% ☐ PR ☐ UNS ☐ 3RD PTY ☐ MW  
☐ NO BOND SET AT THIS TIME, \_\_\_\_\_ DAY DETENTION ORDER TO BE ENTERED.  
☐ ORDER OF TEMPORARY DETENTION/COMMITMENT PENDING HEARING ENTERED.  
☐ ORDER OF DETENTION PENDING TRIAL ENTERED.  
☐ DEFT ADVISED OF CONDITIONS OF RELEASE.  
☐ BOND EXECUTED ☐ DEFT ☐ MW RELEASED ☐ STATE AUTHORITIES ☐ INS  
☒ DEFT ☐ MW REMANDED TO CUSTODY.  
☐ DEFT ORDERED REMOVED TO ORIGINATING DISTRICT.  
☐ WAIVER OF ☐ PRELIMINARY HEARING ☐ RULE 5/32 HEARING ☐ DETENTION HEARING  
☐ COURT FINDS PROBABLE CAUSE ☐ ID ☐ PC.  
☐ DEFT FAILED TO APPEAR. ORAL ORDER FOR ISSUANCE OF BENCH WARRANT.  
☐ GOVERNMENT TO NOTIFY FOREIGN CONSULAR.  
☐ REMARKS: \_\_\_\_\_



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

MUNEEB AKHTER (1)

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Case No. 3:18-mj-00784-BT

**ORDER APPOINTING FEDERAL PUBLIC DEFENDER**

The Court, having considered the Financial Affidavit of the Defendant, finds that the Defendant is financially unable to obtain counsel.

IT IS, THEREFORE, ORDERED pursuant to Title 18, United States Code, Section 3006A, that the Federal Public Defender for the Northern District of Texas is appointed as counsel of record for the above named Defendant. Such appointment shall be for all proceedings, including any appeal.

SIGNED November 27, 2018.

REBECCA RUTHERFORD  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

NORTHERN DISTRICT OF TEXAS

FILED

NOV 27 2018

CLERK, U.S. DISTRICT COURT

By

Deputy

UNITED STATES OF AMERICA

v.

Case No. 3:18-mj-00784-BT

MUNEEB AKHTER (1)

## ORDER OF TEMPORARY COMMITMENT

On this date the above named Defendant appeared before the undersigned magistrate judge after having been arrested in the above numbered action for an offense against the laws of the United States, and

- ☐ The government having moved the magistrate judge to hold a hearing to determine whether any condition or combination of conditions will reasonably assure the Defendant's appearances and the safety of any other person and the community (18 U.S.C. §3142(f), as amended P.L. 98-473, 98 Stat. 1837), and
- ☐ The government's attorney having moved for a continuance of such hearing
- ☐ It appearing that the Defendant may not be capable of posting of a monetary bond as a condition to assure his appearance and the safety of any other person and the community (§3142(c), supra), and that a hearing on whether the Defendant should be released on bond or should be detained pending disposition of the criminal charges should be deferred from today's date, and
- ☐ Defendant having moved for a continuance so that he can have an attorney present at the hearing,

IT IS, THEREFORE, ORDERED that the Detention Hearing is to be held on 11/30/18  
at 1 pm before the undersigned magistrate judge, unless extended for good cause. \*

IT IS FURTHER ORDERED that the Defendant is committed to the custody of the United States Marshal for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal, pending the above scheduled detention hearing.

A copy of this order shall be transmitted to counsel for the parties.

ENTERED this November 27, 2018.

  
REBECCA RUTHERFORD  
UNITED STATES MAGISTRATE JUDGE

\*A continuance on behalf of the government will be granted without a hearing only upon the written consent of the Defendant or his attorney. A continuance on behalf of the Defendant will be granted without a hearing upon the written request of the Defendant or his attorney. Continuances shall not exceed five work days from the original setting for the Detention Hearing.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

JUDGE: REBECCA RUTHERFORD	
DEPUTY CLERK: L. Price	COURT REPORTER/TAPE NO: FTR
LAW CLERK:	USPO/PTSO:
INTERPRETER:	COURT TIME:
A.M.	P.M.
DATE: November 30, 2018	

P.C. /ms Del. 44m.

☐ MAG. NO. ☐ DIST. CR. NO. 3:18-mj-00784-BT

USDJ Magistrate Judge Rebecca Rutherford

UNITED STATES OF AMERICA

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Paul Yanowitch, AUSA

v.

MUNEEB AKHTER (1)

Courtney Stamper ☐  
COUNSEL FOR DEFENDANTS APPT - (A), Retd - (R), FPD - (F)

- ☐ INITIAL APPEARANCE ☐ IDENTITY ☐ BOND HEARING ☒ PRELIMINARY HEARING  
☒ DETENTION HEARING ☐ COUNSEL DETERMINATION HEARING ☐ REMOVAL HEARING ☐ EXTRADITION HEARING  
☐ HEARING CONTINUED ON \_\_\_\_\_ CASE NO. \_\_\_\_\_ ☐ OTHER DISTRICT ☐ DIVISION  
☐ DATE OF FEDERAL ARREST/CUSTODY: ☐ SURRENDER \_\_\_\_\_  
☐ RULE 5/32 ☐ APPEARED ON WRIT  
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☐ DEFT FIRST APPEARANCE WITH COUNSEL.  
☐ DEFT ☐ MW (MATERIAL WITNESS) \_\_\_\_\_ APPEARED ☐ WITH ☐ WITHOUT COUNSEL  
☐ REQUESTS APPOINTED COUNSEL.  
☐ FINANCIAL AFFIDAVIT EXECUTED.  
☐ ORDER APPOINTING FEDERAL PUBLIC DEFENDER.  
☐ PRIVATE COUNSEL APPOINTED \_\_\_\_\_  
☐ DEFT HAS RETAINED COUNSEL \_\_\_\_\_  
☐ ARRAIGNMENT SET ☐ DETENTION HEARING SET \_\_\_\_\_  
☐ PRELIMINARY HEARING SET \_\_\_\_\_ ☐ BOND HEARING SET \_\_\_\_\_  
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☐ BOND ☐ SET ☐ REDUCED TO \$ \_\_\_\_\_ ☐ CASH ☐ SURETY ☐ 10% ☐ PR ☐ UNS ☐ 3RD PTY ☐ MW  
☐ NO BOND SET AT THIS TIME, \_\_\_\_\_ DAY DETENTION ORDER TO BE ENTERED.  
☐ ORDER OF TEMPORARY DETENTION/COMMITMENT PENDING HEARING ENTERED.  
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☐ WAIVER OF ☐ PRELIMINARY HEARING ☐ RULE 5/32 HEARING ☐ DETENTION HEARING  
☒ COURT FINDS PROBABLE CAUSE ☐ ID ☒ LPC.  
☐ DEFT FAILED TO APPEAR. ORAL ORDER FOR ISSUANCE OF BENCH WARRANT.  
☐ GOVERNMENT TO NOTIFY FOREIGN CONSULAR.  
☐ REMARKS: \_\_\_\_\_

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b> NOV 30 2018 CLERK, U.S. DISTRICT COURT By _____ Deputy
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

MUNEEB AKHTER (01)

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No. 3:18-MJ-784-BT

**DETENTION ORDER**

On November 30, 2018, the Court held a preliminary hearing and a detention hearing pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. §3143(a)(1). Defendant Muneeb Akhter appeared in person and through counsel, and the government appeared through an assistant United States Attorney.

Based on the evidence presented at the hearing, the Court found probable cause to believe that Defendant committed the violations of his conditions of supervised release, as alleged in the petition.

Further, based on all the evidence, including the testimony of the United States probation officer, the petition for revocation, and Defendant's proffer, the Court found that Defendant failed to satisfy his burden to show by clear and convincing evidence that conditions could be set that would reasonably assure his appearance as required. Among other things, the evidence established that Defendant failed to comply with an order to appear at a hearing on October 2, 2018, before the court in Virginia that is supervising his release. Based on all the

evidence, the Court granted the government's motion for detention and remanded Defendant to the custody of the United States Marshal.

SO ORDERED.

November 30, 2018.

  
\_\_\_\_\_  
REBECCA RUTHERFORD  
UNITED STATES MAGISTRATE JUDGE



UNITED STATES OF AMERICA

v.

MUNEEB AKHTER (1)

§ Case No. 3:18-mj-00784-BT  
§ Other Dist. Docket No. 1:15-CR-124-TSE-1  
§ Charge Pending: CLERK, U.S. DISTRICT COURT  
§ Eastern District of Virginia  
§ Alexandria Division Deputy

**REPORT OF PROCEEDINGS UNDER RULES 32.1  
AND ORDER ENTERED THEREON**

The defendant is charged in the above-referenced district with violating conditions of probation or supervised release. Having been arrested in this district on a warrant issued on the petition to revoke probation or supervised release, she appeared before me for proceedings as follows:

- 32.1(a)(5)(A) :** ☒ The alleged violation occurred in this district.  
☐ The defendant waived preliminary hearing.  
☒ Based on the evidence presented during preliminary hearing, the Court finds that:  
☒ There is probable cause to believe that a violation occurred.  
☐ There is NOT probable cause to believe that a violation occurred.

- 32.1(a)(5)(B):** ☐ The alleged violation did not occur in this district.  
☒ The government has produced certified copies of the judgment, warrant, and warrant application.  
☐ The defendant waived production of certified copies of the judgment, warrant, and warrant application.  
☒ The Court finds that the person before the Court is the defendant named in the warrant because:  
☒ The defendant waived identity hearing.  
☐ An identity hearing was conducted, and the defendant's identity was established.  
☐ The Court finds, based on the evidence presented during an identity hearing, that the person before the Court is NOT the defendant named in the warrant.  
☐ The defendant waived detention hearing in this district and requested that detention hearing be held in the prosecuting district.

TO: UNITED STATES MARSHAL

- ☒ You are commanded to remove the above named defendant forthwith to the district in which he/she is charged and there deliver him/her to the United States Marshal for that district or to some other officer authorized to receive him/her.
- ☐ It is ORDERED that this defendant be released from custody on bond pending further proceedings.
- ☐ It is ORDERED that this defendant be discharged.

SIGNED:

(Use Other Side for Return)



Rebecca Rutherford  
United States Magistrate Judge